

**PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF APRIL 27, 2004.**

**ATTENDANCE**

COUNCIL: Randy Menard (Chair - District 9), Rob Stevenson (Vice Chair - District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

ABSENT: None

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: L.J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Pat Ottinger (City-Parish Attorney), Gail Smith (Director of Administrative Services), Interim Chief Randy Hundley (Police Department), Becky Lalumia (Director of Finance & Management), Tom Carroll (Director of Public Works), Eleanor Bouy (Director of Planning, Zoning & Codes), Terry Huval (Director of Utilities), Gerald Boudreaux (Director of Parks & Recreation), Melanie Lewis (Director of Community Development)

**COMMENCEMENT**

(TAPE 1)(SIDE A)(001)AGENDA ITEM NO. 1: Call to order.

Chair Randy Menard called the Regular Council Meeting of April 27, 2004 to order.

(TAPE 1)(SIDE A)(003)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

Chair Menard announced Ordinance No. O-069-2004 has been deferred by request of the Planning, Zoning & Codes Department until May 25.

(TAPE 1)(SIDE A)(032)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**

Jerry Romero of Acadian Ambulance donated an AED unit to Lafayette City-Parish Consolidated Government, which is to be housed at a specific location. Also, Terry Huval gave a presentation regarding LUS' possible future endeavor of offering telecommunication services to Lafayette residents.

Huval explained on April 28, LUS will conduct a Market Analysis to help determine consumer interest in LUS expanding its utility services by offering true fiber optic telecommunications services in Lafayette. The "Fiber-to-the-Home and Business" services could include:

- Cable TV
- High Speed Internet
- Telephone

The results of this market analysis will be placed into a Feasibility Study to be shared with the public by mid-June 2004. The LUS fiber optic system is well poised for such an expansion of its utility services. It has been operational for 3 years providing services to governmental entities and selling wholesale services to companies who resale the internet and broadband services. There have been numerous requests from the public and elected officials to expand services to the consumer. Other communities have built a similar system resulting in lower prices, better services and economic development. In 1897, the citizens of Lafayette unanimously voted to create their own electric utility system. It was the first in the area. Lafayette has maintained the vision to expand LUS and increase its value to the community during the past century. In 1998, the Lafayette Consolidated Government approved the fiber optic system that is in place today. Currently, the system connects all major LCG facilities and interconnects with other local government facilities as well as ULL's research park and main campus. Other interconnections also include AT & T, Bellsouth, Qwest and other international telecommunications carriers.

There is estimated gross revenue of \$850,000 for the next 12 months. Eight wholesale providers select LUS because of reliability, pricing and local personal service. The following are other city-owned utilities offering telecommunication services:

- **Bristol, Virginia** – Population 16,000  
Began providing cable TV, internet and telephone services in 2003. The rates are significantly low: up to 30% per month less for cable TV; up to 50% per month less for high speed internet and up to 33% per month less for telephone service.
- **Dalton, Georgia** – Population 28,000  
Began providing bundled packages of cable TV, internet and telephone services in 2003. They are now offering all three services to residents for less than \$80 per month. Lafayette residents currently pay at least \$125 per month for comparable services.

Cedar Falls, Iowa built its own fiber optic network in the mid-1990's and has since expanded its industrial park from 25 to 125 businesses. It has enhanced education by connecting all 13 school buildings and saving thousands of dollars to the school district. Today, all classrooms are wired with streaming video. Waterloo, Iowa did not build its own, but relied on the private sector; however, they are contracting with Cedar Falls to provide fiber optic connectivity at a one-time cost of \$74,000.

Fiber optics will enable LUS to provide new utility services.

- Cable TV – local control of pricing, service and quality
- Internet – higher speeds and greater reliability
- Telephone – state of the art features at competitive prices

The benefits of fiber optics to Lafayette homes and businesses will address the “digital divide” by promoting city-wide internet access. It also retains telecommunication revenues within the community. By providing these services, the goal is to bring out-of-state Louisiana graduates back home by creating new businesses and better jobs. This fiber optics development and deployment could:

- Give Lafayette and Louisiana a competitive edge over most other cities and states as a desirable place to live and work
- Improve the Lafayette Parish School System by enabling it to get fiber optic connectivity at significant cost savings
- Enable Lafayette City-Parish Consolidated Government to create a “Pace-Setting Model Community”
- Offer remote meter reading, automatic electric outage notification and accessible real time billing information for LUS electric, water and sewer customers.

Without this move, Lafayette and Louisiana may never distinguish themselves from other larger metropolitan areas and will likely never have the truly competitive telecommunications options already occurring in these large metro areas.

Mr. Durel is in full support of LUS' endeavor and felt it had the full potential of economic development. Badeaux questioned if residents in the rural area will be able to benefit from the fiber optics system. Huval responded affirmatively; however, the initial project would consider the fact that LUS owns the poles in Lafayette and has rights-of-way access. Once residents in the City of Lafayette have received the services, the rural area resident will be offered same. Badeaux expressed his concerns with regards to providing cable in the unincorporated areas of the parish. Cox Communications currently has a contract to provide services throughout the parish at a rate based upon participants. If LUS begins to provide cable services to the residents within the city limits of Lafayette, the rural residents would be affected by possible rate increases. Huval suggested that Cox Communications is a very large telecommunications provider and its rates are considered to be more regionalized than localized.

(TAPE 1)(SIDE B)(001)

Bourgeois also commended Huval on his presentation and is looking forward to seeing what the future will hold for this effort but also shares Badeaux's concerns with regards to the rural area residents. Huval explained the lines are run along the utility poles. If a customer chooses to become a subscriber, a line will be extended from LUS' line to their premise, fiber would be run to the home and a box placed on the side of the home which will convert the utility information in the

fiber line into an electronic interface. Huval has received requests from developers to provide fiber optic services; however, this would require approval from the Council. He added that there is a future possibility of working with developers to provide these services. LUS has recently received authorization from the Council to begin pursuing the issuance of revenue bonds to pay for the fiber optic system.

At this point, Chair Menard announced that Item Nos. 6a and 6k have been pulled by request of Councilman Broussard since these issues have been resolved.

(TAPE 1)(SIDE B)(098)AGENDA ITEM NO. 4: **COUNCIL ANNOUNCEMENTS**

- a. Recognize representatives from the South Louisiana Community College and the Louisiana Technical College.

Representatives of SLCC and LTC were present to accept a proclamation proclaiming April as “Community College Month”.

Chair Menard announced the Item No. 6d has been pulled by request of Councilman Mouton since the issue has been resolved.

**ORDINANCES FOR FINAL ADOPTION - ZONING**

AGENDA ITEM NO. 5: O-069-2004 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance and the official map of the City of Lafayette, providing for the annexation of additional land into the corporate limits of the City of Lafayette, Louisiana, Case No. Z2004-05 (A) Grand Pointe Annexation, located generally east and west of Kaliste Saloom Road, north of East Broussard Road, and east of the Vermilion River, which is located within Council Districts No. 7 and No. 9 for voting purposes, and assigning zoning classifications of R-2 (Multi-Family Residential) and B-T (Transitional Business).

*This item was deferred until May 25 by request of Planning, Zoning & Codes.*

**REPORTS AND/OR DISCUSSION ITEMS**

(TAPE 1)(SIDE B)(175)AGENDA ITEM NO. 6a: Update on solicitation for drugs in neighborhoods

Williams explained a communication had been sent out to all law enforcement agencies requesting assistance in gathering information regarding the solicitation of drugs. Clerk Dugas confirmed that the Sheriff’s Department recently submitted a report and the Lafayette Police Department submits a monthly report. City-Parish Attorney Ottinger stated he will be creating a team which will be lead by Assistant City-Parish Attorney Ricky Miniex and include members of the City Prosecutor’s Office, Judge Saloom’s office and the Police Department, who will research all ordinances referencing the solicitation laws.

The following persons were recognized:

**Patrick Brasseaux** opined that police presence in neighborhoods will decrease the solicitation of drugs and is concerned that the laws are not being prosecuted to the fullest extent.

**Jeffery Landry** reiterates Brasseaux’s comments and added his concerns regarding the creation of a Citizens Advisory Committee.

(TAPE 1)(SIDE A)(001)AGENDA ITEM NO. 6b: Discuss St. Anthony Park drugs, prostitution & gambling

Williams expressed his concerns regarding the continual problems during the hours of 4 p.m. until late evenings. He highlighted the following points:

- Lighting
- Tree trimming
- Additional park rangers
- Increase of police presence

He would like to see an increase of community activities to ward off the problems and is concerned with the safety of the children and the surrounding residences. Chief Hundley responded there have been several arrests made with regards to prostitution and drugs. He has ordered additional patrol and is working with LUS on providing more lighting in the park.

The following person was recognized:

**Patrick Brasseaux** reiterated his earlier comments. He encouraged citizens to work with the Police Department by calling, giving names and/or taking pictures or using video.

(TAPE 1)(SIDE B)(375)AGENDA ITEM NO. 6c: Update on Small & Emerging Businesses

Jessica Walton, Small Business Coordinator of Community Development explained what are small and emerging businesses. These are businesses in which an individual who owns 60%, resides in Louisiana, a U.S. citizen and who has encountered difficulty obtaining supplier credit and contracts in their industry of trade. She gave a brief report on small and emerging businesses for the months of January – March of 2004. There were 28 approved contracts awarded:

- 6 – small and emerging businesses
- 3 – minority businesses
- 3 – women owned businesses
- 16 – African-American businesses

To date, there are approximately 35 certified small and emerging businesses that are included in the LCG directory.

AGENDA ITEM NO. 6d: Discuss illegal signs at O'Halloran's  
*This item was pulled.*

(TAPE 1)(SIDE B)(500)AGENDA ITEM NO. 6e: Discuss traffic calming in St. Charles Street area

Benjamin expressed his concerns regarding the placement of traffic calming devices. He feels the closures should be placed in different locations and added that he is in favor of traffic calming but is concerned with the accessibility of the adjacent streets.

The following persons were recognized:

**Gary Goins** is one of the residents who requested traffic calming devices. The main concern for the placement of the devices was that of the continuous use by vehicles as a speedy shortcut from Moss Street to Louisiana Avenue. Since the devices have been installed, there has been a significant reduction in traffic, noise, litter and neighbors are able to venture out safely.

(TAPE 2)(SIDE A)(001)

**Charles Gullette** felt there is a misconception about the traffic calming being a St. Charles Street project. He opined it is a McComb neighborhood project with over 190 residential units signing two (2) petitions requesting traffic calming remediation. The streets are not closed to traffic but are diverted. The subdivision has declared zero tolerance on speeding. Traffic has decreased considerably since the installation of the devices.

**Eunella Miller** a longtime resident who explained that since the diverters have been installed at the corner of her street the traffic has increased. She expressed her concerns with the safety of the residents because the vehicles are going around the diverters and onto the property of the home across the street. She stated the residents are in full support of the speed bumps but are opposed to the diverters.

**Rev. Corinthian Bernard Sr.** was disappointed to discover the installation of the diverters. He is not opposed to traffic calming but is opposed to the diverters. He expressed his concerns regarding response time of emergency vehicles if they are diverted in another direction.

**Bonnie Treuil** stated that since the diverters have been installed, the residents on her street are able to walk safely and children can safely play in their yards. Prior to the devices, the noise level was high and she would continuously have to pickup all types of trash. According to data, 100% of the traffic going thru the neighborhood, with the exception of the residents, had an average speed of 47 – 50 m.p.h. with the speed limit being 30 m.p.h.

**Steven Breaux & Kathy Reed** are in support of the diverters and felt this is the only way to reduce the amount of traffic especially with major thoroughfares surrounding the neighborhood. They expressed their concerns with regards to the safety of the residents in the neighborhood. He requested that the Council support the diverters to be placed permanently.

**Kyle Faber** felt the diverters have improved the neighborhood's quality of life. Prior to the diverters, there was a tremendous amount of foot traffic, which the residents were concerned about. Since then, the children can safely play in their yards, residents can walk safely and the noise has decreased. The diverters also serve as a traffic enforcement of speeders, which have to slow down. He felt the devices should remain in place for the 6 month trial period and then let the residents of the neighborhood decide whether to keep them permanently.

**Simon Hays** is in full support of the diverters and felt the diverters are not to keep people out of the neighborhood but to slow traffic down for concerns of the safety of the residents.

**Gregory Williams Sr.** is in support of any type of traffic calming devices to slow the traffic down. Since the devices have been placed, his family, as well as neighbors, are able to walk and play in the front yard.

**Karen Faber** stated the streets are not closed to the public but are diverted. The diverters can be inconvenient but are placed for the safety of the residents in the neighborhood. She understands the disappointment by some who can no longer save time by cutting through the neighborhood but the safety of the residents has become a priority. She is in full support of the diverters and requested to keep the devices in place for the 6-month trial period.

**Patrick Brasseaux** is opposed to blocking public streets but felt there should be police enforcement. He felt that if certain programs are working, it should be kept in place to continue working.

**Jimmie Castex** is opposed to the diverters. He felt why should everyone be inconvenienced to make just a select few inconvenienced. He stated he, as well as his immediate neighbors, were never informed of any neighborhood meetings that were held to discuss the diverters.

At this point, Benjamin stated he was not going to support the convenience of a few people on several blocks at the inconvenience of the majority of the people in District 4. He is opposed to diverters being considered as traffic calming and felt the Administration should conduct additional research with regards to the placement of diverters.

AGENDA ITEM NO. 6f: Discuss Willow/Evangeline Thruway timing of signals  
*This item was pulled.*

(TAPE 2)(SIDE B)(059)AGENDA ITEM NO. 6g: Discuss maintenance of railroad property between Lafayette and Carencro

Ottinger stated there is an area that has been cut. It was discovered that Union Pacific cuts the abandoned railroad strip once a month but only cuts the section from Madeline to Gilman. Stanley added that the tax assessor indicated that some of the original agreements are dated back to the 1800's and are difficult to track. He suggested taking 10 properties and working with the assessor's office to determine the ownership of the properties. Boyd Boswell explained that LCG couldn't go onto property to do work or cut grass until the property owner has been properly notified and given the required amount of time to clean it up. Williams expressed his concerns with regard to abandoned property along the railroad track and requested this item be placed on the agenda in 60 days. Bourgeois expressed his concerns regarding participation of residents to allow LCG to travel onto their private property in order to get to the track for cleanup.

(TAPE 2)(SIDE B)(380)AGENDA ITEM NO. 6h: Discuss Buchanan Street sidewalks

Williams explained money has been appropriated to provide sidewalks from Mudd Avenue to Pierce Street near the new Walmart. Carroll stated the money funded was dedicated for LCG to obtain sidewalk servitude and not to have to pipe the ditches. On the east, utility poles have posed a problem therefore, Public Works has researched the possibility of extending the sidewalks on the west since there are not as many obstructions. Williams requested this item be placed on the agenda in 60 days.

The following person was recognized:

**Patrick Brasseaux** – passed

(TAPE 2)(SIDE B)(428)AGENDA ITEM NO. 6i: Discuss maintenance of public right-of-ways

Williams opined there is a difference between the maintenance of public right-of-ways on the north side versus the south side. He requested the Administration report back to the Council regarding the frequency of cuts in the public right-of-ways and why is there such a distinct difference between the north and south sides of the City of Lafayette. Stanley stated LCG contracts with a company for grass cutting from Willow Street to Pont des Mouton. He suggested getting the mowing schedule to determine what is getting cut, where, how often and determine whether or not Williams' perception is accurate. If so, the schedule would need to be adjusted. Maniscalco added there are 3 categories:

1. Camellia Blvd. – stands alone
2. Thruway – there is an agreement with the state to maintain 60+ miles of state route in which they pay LCG
3. The remainder is Public Works and grounds maintenance.

Depending on which category and how it's maintained, there will be a different level cut in different areas. Badeaux commented that trustees should be utilized for cleanup along roadways. In the past, he has requested a program be developed with the Sheriff's Department to make use of the trustees. Stanley stated he recently met with the Director of Corrections for the Sheriff's Department to discuss this type of program. The program would include golf courses, the downtown area and other facilities.

(TAPE 3)(SIDE A)(001)

The following person was recognized:

**Patrick Brasseaux** expressed his concerns regarding the maintenance of public properties and roadways.

AGENDA ITEM NO. 6j: Update on driveways on S. Fieldspan

*This item was pulled.*

AGENDA ITEM NO. 6k: Discuss Hoffpauir Road low spot

*This item was pulled.*

(TAPE 3)(SIDE A)(177)AGENDA ITEM NO. 6l: Update on Holiday Gardens Subdivision

Carroll stated after walking the channel, it was discovered there was a minor blockage located downstream south of Holiday Gardens and a major blockage located 500 feet north of Albertson's, which is easier to access. He traveled around the area during the recent rainstorm and made note of all the high water marks. He will be sending out a crew to determine what is happening with the water surface profile and the impact of the blockages. Carroll opined it was not necessary to dig the channel out south of Holiday Gardens but instead conduct a minor cleaning and herbicide. He would like to work in conjunction with the sewer contract with regards to cleaning without causing any negative impact. Menard expressed his concerns with the lack of cooperation he had received from the past Administration to address this issue. Stanley added that unless the outfall problems are solved that have been identified in Cypress Bayou, the overall problems will not be able to be addressed. This solution could possibly cost LCG millions of dollars but committed to working on the remedial issues that can be done quicker.

The following person signed a blue sheet but chose not to speak:

**Harold Hoyt**

(TAPE 3)(SIDE A)(425)AGENDA ITEM NO. 6m: Update on Brookhollow Subdivision drainage

Carroll explained that prior to consolidation the Assistant Director was handling this issue with a pipeline company. Within exiting Brookhollow toward Edith Coulee, there are 4 pipeline companies with a total of 7 pipelines that cross the coulee. Before LCG could begin digging, all assurances had to be met with the pipeline companies. All the companies have given their approval with the exception of one, which he is waiting on a response. Once a response is received, he will return to the Council with an update and then move forward.

## **COMMENTS FROM THE PUBLIC**

(TAPE 3)(SIDE A)(511)AGENDA ITEM NO. 7: Comments from the public on other matters.

The following persons were recognized:

**Gary Cassard** of Cox Communications spoke with regard to LUS' endeavor to compete with existing businesses in the area of telecommunications. He is opposed to this issue and suggested checking with the Chamber of Commerce and LEDA to determine the economic effect. He felt that LUS providing telecommunications services would be a conflict of interest since LCG regulates Cox and Bellsouth with franchise agreements. He suggested that Lafayette is already providing more than enough options for the telecommunications needs in this community.

(TAPE 3)(SIDE B)(001)

**Shelby Williams** commented on various issues. He felt an article in the newspaper was insensitive with regards to a photo of a billboard that was published, which referenced African Americans committing crimes. In a conversation with U.S. Attorney Donald Washington, he agreed to change and remove the billboard. He also commented on another article referencing spending by Council members. Menard responded it was not all Council members involved and he should refer to the ones that this issue pertains to. Bourgeois responded to the first article that the Council does not have control of what is published in the Daily Advertiser and suggested he contact them regarding same. Williams felt the Council was endorsing the billboard since there was a representative present in the photo. Mr. Stanley responded that he was there on behalf of Mr. Durel and was not endorsing the billboard but was there in support of the program developed by U.S. Attorney Washington.

**Patrick Brasseaux** stated upon consolidation a study was done in the Police Department, which discovered the department was short by 75 police officers. Since consolidation, the department has a gain of 28 officers. He felt that without sufficient officers on patrol, citizen concerns cannot be addressed.

**Jeffery Landry** expressed his concerns regarding various issues.

- The lack of a turn signal on Louisiana Avenue near Simcoe.
- The use of the old Federal Courthouse building
- Reiterated comments by Williams regarding the billboard article

**Andrew Hebert** commented on funding for AOC. He also commented on City of Lafayette property taxes versus payment of taxes to Lafayette Consolidated Government. Hebert requested additional time but received an objection by Chair Menard. With there being only 5 members of the Council and a vote count of 6 necessary for approval, Hebert's request was denied.

## **ADJOURN**

There being no further business to come before the Council, Chair Menard declared the meeting adjourned.

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Norma A. Dugas  
Clerk of the Council